

REMARKS

Applicants and their undersigned representative thank Examiner Sznajdman for the thorough examination of the present application, and for the explanations set forth in the Office Action dated April 10, 2008.

5 The applicant notes that claim 4 as originally filed refers to potassium phosphite, but that in the published application this word was somehow changed to phosphate. The listing of claims herein correctly uses the original language with the word “phosphite.”

Response to Restriction Requirement

10 The Examiner has requested that the applicants restrict prosecution of the present application under 35 U.S.C. § 121 in two respects. Both of these are traversed.

15 **First Election.** The examiner has imposed a first requirement that the applicants select one of the species of “Compound A” listed in claims 1, 3 or 4. In response, the applicants elect “alkali metal salts of phosphorous acid” in claim 1 (which includes “potassium phosphite” in claim 4), with traverse. The requirement is traversed because applicants believe the members of the group of “Compound A” in claim 1 have common special technical features that the main chemical structural moiety is the phosphorous acid moiety, i.e., the members being salts of phosphorous acid or salts of phosphorous acid esters.

20 **Second Election.** The examiner has imposed a further requirement that the applicants select one of the species of claims 7 or 8. In response, the applicants elect “azoxystrobin” of claim 7, with traverse. The requirement is traversed because applicants believe the members in the group of claim 7 (and 6) have common special technical features that the members enhance the inhibitory activity of mycotoxin contamination in cereals by combining Compound A.

Conclusion

This Amendment is accompanied by a Petition for Extension of Time under 37 C.F.R. 1.136(a) (Form PTO/SB/22) seeking a 1-month extension until June 10, 2008, together with the \$120 large entity fee.


The applicant has amended several of the claims for clarification. Should any fees be required for these amendments, the Office is authorized to charge them to deposit account 502429.

In view of the above amendments and remarks, it is submitted that the claims are in condition for allowance. Allowance of the claims at an early date is solicited.

If it is deemed helpful or beneficial to the efficient prosecution of the present application, the Examiner is invited to contact Applicants' undersigned representative by telephone.

Dated: June 10, 2008

Respectfully Submitted,

By 
MARK D. MILLER
No. 32,277
Customer No. 25265
Kimble, MacMichael & Upton
5260 N. Palm Ave., Ste. 221
Fresno, California 93704
(559) 435-5500

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